

**PB# 78-3**

**Stephen Peller**

7873  
Steve Peller 2 Lot Subdiv.

Approved 1/11/78 \$H  
given to T.C.  
1/12/78 \$H

# GENERAL RECEIPT

3521

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

RECEIVED OF Stephen Peller Jan 12 19 78  
One hundred and 00/100 \$ 100.00  
FOR Sub-division Fee # 78-3 DOLLARS

DISTRIBUTION:

FUND	CODE	AMOUNT
100.00	check.	

BY Charlotte Masadon  
Deputy  
TITLE

Date Jan. 11, 1978

Application No. 78.3

APPLICATION FOR SUBDIVISION APPROVAL

Town of New Windsor, 555 Union Avenue, Orange County, N.Y.

Tel: 565-8808

Application is hereby made for subdivision of lands situated in the Town of New Windsor and described as follows:

1. Name of subdivision Stephen Peller
2. Location MacArthur Ave.
3. Acreage 1/2<sup>+</sup> Acres 4. Number of lots 2 5. Zone
6. Name & address of subdivider 219 MacArthur Ave.
7. Name & address of record owner of land Same.
8. Present and intended uses Residence.

The undersigned applies for subdivision approval of the above described lands under the rules and procedure of the "Land Subdivision Regulations of the Town of New Windsor" as duly authorized by the Town Board of New Windsor, New York. Upon approval of the Preliminary Layout of said subdivision the applicant agrees to install such utilities as are required and to complete the streets as finally approved by the Planning Board or in lieu of this to post a performance bond as set forth and provided in the "Land Subdivision Regulations". Copies of the Preliminary Layout are hereby attached.

Compliance with requirements shall be the sole responsibility of the applicant or his representative and it is suggested a copy of the Subdivision Regulations be obtained to avoid rejection of the plans. Seven (7) copies of the plans are required.

Fees are due and payable upon submission of the preliminary plans. All checks are to be made payable to the Town of New Windsor.

Signature of applicant

Ronald W. Wadley  
For Stephen Peller

# County of Orange

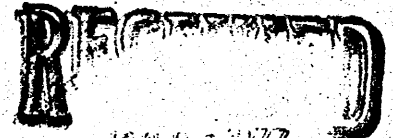
COUNTY CLERK'S OFFICE

Orange County Government  
Center



Tel. (914) 294-5151

Goshen, New York 10924



NEW WINDSOR PLANNING BOARD

JACK A. SCHLOSSER  
County Clerk

THOMAS A. AMOROSI  
Deputy County Clerk

Date January 23, 1978

Chairman of Planning Board

Town of NEW WINDSOR

Dear Mr. Spignardo:

In compliance with the Town Planning Law, this is to  
notify you that the Plan of Subdivision for Stephen J. & Elenor E.  
Peller Subdivision for \_\_\_\_\_, Town of NEW WINDSOR,  
dated Jan. 11, 1978 and approved by you on Jan. 11, 1978  
\_\_\_\_\_, was filed in our office on Jan. 16, 1978,  
as Map number 4385 in Pocket 15 Folder A.

With kindest regards, I am

Very truly yours,

JACK A. SCHLOSSER  
County Clerk

By: Shirley B. Hadden

Chief Clerk

NEW WINDSOR ZONING BOARD OF APPEALS  
Regular Session  
November 28, 1977

MEMBERS PRESENT: Vice Chairman Mark Stortecky  
Richard Fenwick  
James Bothwell  
Dan McCarville  
Dan Konkol

MEMBERS ABSENT: Chairman Theodore Jargstorff  
Vincent Bivona

ALSO PRESENT: Donald S. Goldrich, Esq.,  
Attorney for the ZBA  
Patricia Razansky, Secretary

In the absence of Chairman Theodore Jargstorff, who was hospitalized in a Tennessee Hospital, Vice Chairman Mark Stortecky took over and called the November 28, 1977 meeting of the Zoning Board of Appeals at 7:30 p.m. Secretary proceeded to take the roll.

Motion followed by Dan McCarville, seconded by Richard Fenwick to accept the minutes of the November 14, 1977 meeting as written. Motion carried, all ayes.

PRELIMINARY MEETING:

Mr. John Milkovich appeared before the Board seeking to construct a one-family residence on Fisher Lane (formerly the Causeway) off Temple Hill Road in the Town of New Windsor on a 100 x 150 ft. lot. Zoning in that area is Planned Industrial (PI).

It was determined that Mr. Milkovich would need a use variance to construct a residence in a PI zone.

Motion followed by Richard Fenwick, seconded by Dan McCarville to schedule a public hearing for December 12, 1977 at 8 p.m. Motion carried, all ayes.

Secretary furnished Mr. Milkovich with all the paperwork he would need to prepare for a public hearing.

\* \* \* \* \*

PRELIMINARY MEETING:

Mr. Dan Hartnett of GASLANDS, INC. appeared before the Zoning Board of Appeals with a request to reconstruct the gas station presently existing at the Five Corners in Vails Gate on Route 32 and New Temple Hill Road in a C zone.

According to the plans, Mr. Hartnett intends to relocate the gasoline pumps on the New Temple Hill Road side of the lot so that some of the traffic problems may be alleviated and in addition to the re-construction of the station, the relocation of the pumps, rear yard and front yard variances would be sought.

Mr. Hartnett explained that GASLAND, INC. had been before the ZBA a few years ago and had received variances previously but due to more pressing problems at that time, these plans did not materialize.

Motion followed by Richard Fenwick, seconded by Dan Konkol to schedule a public hearing on December 12, 1977 at 8:15 p.m. Motion carried, all ayes.

Secretary furnished applications and other pertinent information for a public hearing.

\* \* \* \* \*

PRELIMINARY MEETING:

Mr. Ron Raines of Kahn Real Estate appeared before the Zoning Board of Appeals on behalf of his client, Peter Olympia, who is the owner of a parcel of property located at 607 Route 207 whereupon a gas station was pre-existing. Mr. Robert Vourakis also appeared before the ZBA as one of the contract vendees with an intention to lease this property from Mr. Olympia for the purposes of a used car lot. This section of Route 207 is in an NC zone.

Mr. Vourakis assured the members of the Board that no body work would be done on the premises. The application would be strictly for wholesaling of used automobiles. Mr. Vourakis added that the only work being done on the premises would be warranty work. Mr. Vourakis also stated that he would have 3 other partners, Gregory Vourakis, Robert Mitchell and Alfred Kauffman.

Motion followed by Dan McCarville, seconded by James Bothwell to schedule a public hearing for a use variance to sell used cars in an NC zone. Motion carried, all ayes.

Secretary furnished applications and other pertinent information and scheduled the public hearing for December 12, 1977 at 8:30 p.m.

\* \* \* \* \*

PRELIMINARY MEETING:

Lawrence Bilello appeared before the Zoning Board of Appeals on behalf of himself and Fred Thompson. Both Mr. Bilello and Mr. Thompson are the owners of a lot located on Walsh Road and their proposal would be to erect a two-bay garage on this lot which is presently zoned Planned Industrial (PI).

As part of this proposal, Mr. Bilello requested a use for the sale of used cars and the retail sales of auto parts, together with a repair garage type use. Mr. Collett issued a Notice of Disapproval of a Building Permit Application dated November 17, 1977 which stated that used car sales is not permitted in a Planned Industrial (PI) zone.

Motion followed by Dan McCarville, seconded by Richard Fenwick to schedule a public hearing for special permit and use variance. Motion carried, all ayes.

Secretary furnished Mr. Bilello with the paperwork necessary to prepare for a public hearing and scheduled a public hearing for January 9, 1978 at 8 p.m.

\* \* \* \* \*

PUBLIC HEARING on Application of DOUGLAS R. and PATRICIA A. GROVES for an area variance on property located on Riley Road in the Town of New Windsor. Request was for the keeping of a horse on the Groves' property, one acre in size.

Secretary reported that 10 return receipts were received from adjacent property owners; 11 on Tax Assessor's list. Affidavit of Publication was accepted together with \$25.00 fee for variance application.

Secretary also reported the receipt of a petition dated 11/28/77 signed by approximately 50 residents in the area of Riley Road in favor of keeping the horse on the one acre property located in an R-1 zone.

Richard Howard, Esq., attorney representing Mr. and Mrs. Groves, presented their case to the Board. Several of the residents in the area were present to object to the application. List of spectators attached hereto and made a part of the minutes.

Public Hearing was recorded on Tape No. 37 on file in the Secretary's office.

Before the close of the public hearing, motion followed by Dan McCarville, seconded by Dan Konkol to grant a temporary stay of the Order to Remedy Violation for 120 days pending the outcome of the contract to purchase additional 1.4 acres of land by the Groves'.

ROLL CALL:	James Bothwell	- Yes
	Dan Konkol	- Yes
	Richard Fenwick	- Yes
	Dan McCarville	- Yes
	Mark Stortecky	- Abstaining

Motion carried 4 ayes - 1 abstention. Building Inspector to be so advised by Secretary of the outcome of the public hearing on Groves.

\* \* \* \* \*



PUBLIC HEARING on Application of STEPHEN PELLER and ELEANOR PELLER to permit subdivision of one parcel of land into two parcels with insufficient lot area, lot width and rear yard. Area in question is located on the corner of MacArthur Avenue and Woodlawn Avenue in the Town of New Windsor (PI zone).

Secretary reported that 52 return receipts were received from adjacent property owners. The list from the Tax Assessor's office indicated that 58 property owners were notified of this hearing. Affidavit of Publication was received from The Evening News together with \$25.00 fee for variance application.

No one appeared in opposition to this application although the following residents were in attendance: Helen Tucker, Anna M. Randolph, Frances DePasquale, Mary Mussche, Mrs. John Mangi, John W. Keeser and Dora Keeser.

Public Hearing was recorded on Tape #37 on file in Secretary's office.

Before the close of the Public Hearing, motion followed by Dan McCarville, seconded by Richard Ferwick that the ZBA grant the following variances to Mr. and Mrs. Peller:

Lot #1 - 20 ft. variance and 3,270 sq. ft. lot area variance

Lot #2 - 4,035 sq. ft. lot area variance and 14 ft. rear yard variance.

ROLL CALL:	James Bothwell	- Yes
	Dan Konkol	- Yes
	Rich Ferwick	- Yes
	Dan McCarville	- Yes
	Mark Stortecky	- Abstaining

Motion carried 4 ayes - 1 abstention. Formal decision to be drafted by the Attorney for the ZBA and acted upon at an upcoming meeting.

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PUBLIC HEARING on Application of VINCENT and MARY LAWRENCE to permit construction of a one-family residence with insufficient rear yard on property located on Vascello Road in Beaver Dam Lake, Town of New Windsor.

Secretary reported that 26 return receipts were received from adjacent property owners; 27 on Tax Assessor's list. Affidavit of Publication also received together with fee of \$25.00 for variance application.

Everett Smith and Archibald Graham, two residents of the area, were present but did not object to the application as presented by Mr. Lawrence.

Public Hearing was recorded on Tape #37 on file in the

At the close of the public hearing, motion followed by Richard Fenwick, seconded by James Bothwell to grant the 26 ft. rear yard variance requested by Mr. and Mrs. Lawrence.

ROLL CALL:	Mr. Bothwell	- Yes
	Mr. Konkol	- Yes
	Mr. Fenwick	- Yes
	Mr. McCarville	- Yes
	Mr. Stortecky	- Abstaining

Motion carried 4 ayes - 1 abstention. Formal decision would be drafted and acted upon at an upcoming ZBA meeting.

\* \* \* \*

Secretary reported correspondence from the Town Supervisor's Office stating that a meeting would be held between all boards on November 30, 1977 to discuss problems concerning homeowners in Toleman Estates (Little Brook Court) who complained of conditions surrounding the Alfred Foster residence (horses and dogs).

Richard Fenwick and Mark Stortecky volunteered to attend this meeting as liaison from the ZBA and would furnish the Board with a report at our next regularly scheduled meeting of December 12th.

Since there was no further business to be brought before this Board, motion followed by Dan McCarville, seconded by Richard Fenwick to adjourn. Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,

  
PATRICIA RAZANSKY, Secretary

11/28/77 Public Hearing - Groves 8 p.m. -

Name:

Address:

Pat Brown

Riley RD #2

Regina Smith

Riley Rd.

Theresa

Riley Rd.

Felicia Larami

P.O. Box 1423 N.Y.C.

Richard Rogers

RD 2 Riley Rd

Madeline Rogers

Riley Road Rte 2

Toni Vanasco

Riley Rd.

Ronald Vanasco

Riley Rd.

Jerry Vanasco

Peasant Ave

Rick Vanasco

Dean Hill Rd.

John Vanasco

Riley Road